

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj & Rural Development Department – Sri M.A. Mannan, Senior Asst., (Retd.) Zilla Parishad Achampet, Mahabubnagar District – Embezzlement of Government money by using fraudulent measures in collusion with MPDO and Office Staff – Charges framed-Enquiry conducted-Charges proved - Show-cause Notice Issued – Imposition of punishment of 100% cut in pension permanently under Rule 9 of A.P. Revised Pension Rules, 1980 - Orders- Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Ms.No: 194

Dated:2.07.2012

Read the following:-

1. Proc. No.A1/1157/1995, Dt.21.6.1995 of CEO, ZP, Mahabubnagar.
2. Proc. No.A2/1157/95-Vol.No.V. dt.16.4.1996 of CEO, ZP, Mahabubnagar.
3. Enquiry Report of Accounts Officer, ZP, Mahabubnagar.
4. Proc.No.A7/1157/95-ZP, dt.08.09.1999 of CEO, Z.P. Mahabubnagar.
5. Judgment dt.22.4.2003 in OA No.5461/99 of Hon'ble APAT, Hyd.
6. Proc.No.A2/1157/1995, dt.20.2.2004 of CEO, ZP, Mahabubnagar.
7. Judgment dt.08.06.2010 in OA No.5770/07 of Hon'ble APAT, Hyd.
8. From the CPR&RE, Hyd. Lr.No.16065/CPR/I3/95, dt.28.2.11.
9. Govt. Memo No.61154/Vig.III/97-13, Dated:05.09.2011.
10. From the CPR&RE, Hyd. Lr.No.16065/CPR/I3/95, dt.7.3.2012.
11. Govt.Lr.No.61154/Vig.III/97-14, Dated:2-5-2012.
12. From the Secretary, APPSC, Hyd., Lr.No.1007/RT/3/2012, dt.23.5.2011.

ORDER:-

In the reference 1st read above, the Chief Executive Officer, Zilla Parishad, Mahabubnagar placed Sri M.A. Mannan, former Senior Asst., ZP, Achampet, Mahabubnagar District under suspension, as he was involved in a case of misappropriation and embezzlement of Government funds. In the reference 2nd cited, the CEO, ZP, Mahabubnagar has initiated disciplinary action under Rule 20 of APCS (CCA) Rules, 1991 by framing Article of Charges against the Accused Officer.

In the reference 3rd read above, the Accounts Officer, ZP, Mahabubnagar, after conducting regular enquiry has submitted his Inquiry Report and holding that charges has been proved. In the reference 4th read above, the CEO, ZP, Mahabubnagar has imposed punishment of removal from service on Sri M.A. Mannan, former Senior Asst., Z.P., Achampet, Mahabubnagar besides recovery of an amount of Rs.1,89,665/- for having committed grave financial irregularities.

In the reference 5th read above, the Hon'ble A.P. Administrative Tribunal in its order dt.22.4.2003 in OA No.5461/99 filed by Sri M.A. Mannan, Senior Asst., (Dismissed from service) set-aside the impugned orders Proc.No.A7/1157/95-ZP, dt.08.09.1999 of Chief Executive Officer, Zilla Parishad Mahabubnagar and directed the CEO, ZP, Mahabubnagar to duly take into consideration the various contentions raised by the applicant in his detailed explanation dt.17.9.1999 and issue speaking order.

Accordingly, the CEO, ZP, Mahabubnagar after examining the matter has issued speaking orders while confirming the earlier orders dt.08.09.1999 is stands hold good vide reference 6th cited.

In the reference 7th read above, the Hon'ble APAT in its order dt.08.06.2010 in OA No.5770/07 filed by Sri M.A.Mannan, Senior Asst., (Dismissed from Service) set-aside the Proc.No.A2/1157/1995, dt.20.2.2004 of CEO, ZP, Mahabubnagar and

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directed the CEO, ZP, Mahabubnagar to submit his report as contemplated under the provisio to Rule 9(2)(a) to the State Govt., by answering in detail to the objections raised by the applicant. Thereupon, the Govt., is at liberty to pass orders thereon in accordance with the rules on merits.

The Commissioner of Panchayat Raj & Rural Employment, Hyderabad, while enclosing the letter, dt.04.01.2011 of the CEO, ZP, Mahabubnagar, has requested the Government to issue necessary orders in the matter.

In the reference 9th read above, a Show-Cause Notice has been issued to Sri M.A. Mannan, Senior Asst.,(Retd.) with a direction to show cause as to why the penalty of imposing 100% cut in pension permanently should not be imposed against him on the said irregularities. He is directed to submit his explanation within (10) days from the date of receipt of Show Cause Notice above, failing which construing that he has no explanation to offer in his explanation further action will be taken against him based on the material available on record as per Rule 9 of APRP Rules, 1980 r/w Rule 20 of APCS (CCA) Rules, 1991. However, the Charged Officer has not submitted his explanation to Government.

In the reference 11th read above, the Secretary, A.P. Public Service Commission was addressed for concurrence to decision of Government In the reference 12th read above, the APPSC has agreed the proposal of the Government, to impose punishment of 100% cut in pension permanently against Sri M.A. Mannan, Senior Asst.,(Retd.), Mahabubnagar District.

The Government, after careful examination of the matter with reference to material-on-record and keeping in view the opinion of APPSC and final orders of Hon'ble APAT in O.A.No.5770 of 2007 dt.08.06.2010, hereby confirm the provisional decision taken in reference 9th read above and impose a penalty of withholding of 100% cut in pension permanently under Rule 9 of APRP Rules, 1980 on Sri M.A. Mannan, Senior Asst.,(Retd) Z.P., Achampet, Mahabubnagar District for the charges leveled against him are held proved. In respect of recovery of misappropriated amount, Government have taken a lenient view and waived the amount of Rs.1,89,655/- to be recover from gratuity as a special case to do justice to his family.

The Chief Executive Officer, Zilla Parishad, Mahabubnagar shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

C.R.BISWAL
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri M.A. Mannan, Senior Asst., (Retd) Z.P., Achampet, Mahabubnagar
through the CEO, ZP, Mahabubnagar.

The Commissioner of Panchayat Raj & Rural Employment, AP, Hyderabad,
The Chief Executive Officer, Zilla Parishad, Mahabubnagar

Copy to:

The Secretary to Vigilance Commission, APVC, Hyd.

The District Treasury Officer, Mahabubnagar.

The Accountant General, AP- Hyderabad,

The Secretary, A.P. Public Service Commission, Hyderabad,

The Government Pleader, for Panchayat Raj, APAT, Hyd.

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER.